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SUBJECT: UNGA/C-6: UNGA'S 6TH COMMITTEE DISCUSSES TERRORISM

REF: 07 USUN NY 880

¶1. Summary: The Sixth Committee held its debate on agenda item 99, "Measures to Eliminate International Terrorism," from October 8-9. The majority of speakers called for the conclusion of the draft Comprehensive Convention for Combating International Terrorism. Some called for it to include a definition of terrorism which should exclude acts in exercise of a people's right to self-determination and in order to oppose occupying forces. As in last year's debate (Ref A), Trinidad and Tobago (speaking for the Caribbean Community) referred to the terrorist bombing of an airliner that occurred in the Caribbean region 32 years ago and has not been resolved. Cuba and Venezuela reproached the United States handling of the Luis Posada Carriles case. They allege that he was responsible for that incident. USUN responded using the Department's instructions. The Democratic Peoples Republic of Korea (DPRK) called U.S. activity in Iraq and Afghanistan an example of "state terrorism." In an impassioned address, Sudan highlighted "creative" new forms of terrorism, calling the International Criminal Court (ICC) a terrorist organization. Paragraph 8 lists all the delegations that gave statements. End Summary.

#### SUPPORT FOR UN COUNTER TERRORISM EFFORTS

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¶2. Many Delegations condemned terrorism and agreed that such acts can never be justified. A majority of delegates expressed support for the first review of the 2006 UN Global Counter Terrorism Strategy (UNGCTS) as an important step in furthering the work of the United Nations against terrorism. Speakers lauded the UN General Assembly as the best place to coordinate an international response to the threat of terrorism. Additionally, delegations called for the UNGCTS to be a living document, reviewed regularly. Most speakers emphasized that the Member States themselves are responsible for the implementation of the strategy. Many interventions argued that the United Nations must work to prevent terrorism and not simply respond. Representatives argued that the United Nations should address the causes of terrorism through economic and social development, and should provide international justice that will facilitate dialogue between different cultures and religions, fight the trafficking of drugs and persons, and counter organized crime.

¶3. Fifty of the sixty-seven interventions expressed support for the draft Comprehensive Convention for Combating International Terrorism (CCCIT). Several praised the Ad Hoc Committee coordinator's compromise proposal. Speakers identified the key obstacles to consensus as first, the need for exceptions in describing terrorist acts and second, a distinction between acts of terrorism and acts of defense against occupying forces. The Arab Group members emphasized that terrorism cannot be linked to a particular religion, race, or culture. Several members supported, in the words of Pakistan's intervention, the "legitimate right of peoples to resist foreign occupation" as they claimed is recognized in International Law, International Humanitarian Law and General Assembly resolution 46/51. However, Israel argued,

"Terrorism has sought legitimacy in the form of recognition of a distinction between so called permissible and impermissible forms of terror." The Israeli representative cautioned that agreement on a definition of terrorism requires "legal precision and moral clarity." She continued that consensus on the CCCIT should not come at the cost of those principles if Members States want an effective tool against terrorism.

#### SECURITY COUNCIL TRANSPARENCY & OTHER PROPOSALS

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14. Many speakers acknowledged the importance of the UN Security Council (UNSC) and its subsidiary bodies in fighting terrorism. However, a few, including Cuba and Iceland, argued that the UNSC's work should be more transparent. Cuba specifically asked the UNSC to streamline the procedure for listing and de-listing countries in regard to sanctions to address due process and transparency. A large number of the non-aligned movement (NAM) members called for a high level conference to define terrorism, although France said that this conference should not come until after consensus is achieved on a CCCIT. The Arab Group members and NAM advocated for King Abdullah Bin Abdul-Aziz Al-Saud's (Saudi Arabia) proposal to establish an International Center under the United Nations to combat international terrorism. Several countries called for a conference to create an International Code of Conduct to coordinate multilateral efforts to prevent terrorism in conformity with international law.

#### SUDAN

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15. Sudan condemned not only terrorism but state terrorism. Listing examples of Sudan's moderation, tolerance and progress toward countering terrorism, Sudan highlighted its role in negotiating the release of European Hostages on the Sudanese-Chad border. Sudan also argued that the international community's efforts to combat terrorism were unbalanced. He listed ways that some groups, including the ICC, committed state terrorism. At one point, he called occupying forces a "disgusting caricature" and "the second face on the coin of terrorism." He specifically condemned the ICC for its decision against Sudan, saying it is "political extortion" and a "tool for blackmail, a tool for coercion. Isn't this terrorism?"

#### ACCUSING THE UNITED STATES OF TERRORISM

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16. After delivering an intervention on behalf of NAM, Cuba took the floor separately on its own behalf and conveyed a detailed account of the United States' actions regarding Luis Posada Carillas. Chiefly, Cuba complained that Posada had neither been tried for terrorism, nor extradited and has been free in the United States since May 8, 2008. Further, Cuba argued that the United States had tried five Cuban "heroes" and sentenced them to 10 years in prison, although these men were simply "fighting against terrorism in Miami." Venezuela also accused the United States of hypocrisy in its dealings with Posada, stating that Venezuela is still "waiting for a response" on Posada's extradition. Cuba and Venezuela repeated their positions while exercising rights-of-reply to the U.S. intervention. The representative from DPRK accused the United States of "state terrorism" in Iraq and Afghanistan. DPRK said that no state should be able to use counter terrorism to accomplish its own political objectives.

17. In its intervention, USUN rebutted the Cuban and Venezuelan statements on Posada. Drawing on Department guidance, USUN stated that Posada entered the United States illegally, was detained, and then was placed in removal proceedings and that he is currently in the United States without official status and is under observation by DHS. The intervention also clarified the facts of the case of the five men in Miami who were tried in an open and public trial for

espionage. USUN detailed the rights and due process under U.S. law that these men were afforded.

#### LIST OF SPEAKERS

18. Sixty-seven delegations gave statements: Russia (on behalf of the Shanghai Cooperative Organization), Mexico (on behalf of the Rio Group), Cuba (on behalf of the NAM), Australia (on behalf of CANZ), Vietnam (on behalf of ASEAN), Trinidad & Tobago (on behalf of the Caribbean Community), Kenya (on behalf of the Africa Group), France (on behalf of the EU), Pakistan (on behalf of the Organization of the Islamic Conference), Lebanon, Liechtenstein, Switzerland, Sudan, UAE, Turkey, Nigeria, Algeria, Israel, DRC, Tunisia, Guatemala, Indonesia, Columbia, India, Lesotho, Cuba, Yemen, Uganda, Belarus, Iceland, Tanzania, Republic of Korea, Syria, Saudi Arabia, Thailand, Mozambique, Oman, Morocco, Egypt, Japan, Myanmar, Cote d'Ivoire, DPRK, Singapore, Iran, Senegal, Qatar, Venezuela, Iraq, Norway, Sri Lanka, Angola, Libya, Malaysia, Cameroon, Afghanistan, Mongolia, Ecuador, Mali, Bahrain, Burkina Faso, Nicaragua, Kuwait, China, Maldives, United States. Cuba and Venezuela exercised rights-of-reply to the United States.  
Wolff